

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

PUBLIC SERVICES - Commercial Taxes Department - Allegation of corruption against the officials of C.T. Check Post, Thondapally, Ranga Reddy District - Surprise check conducted by the A.C.B. Officials on 19.9.1998 over C.T. Check Post, Thondapally - Award of punishment of stoppage of two increments with cumulative effect on Sri G. Gopi Krishna Chaitanya, Assistant Commercial Tax Officer - Orders Issued - Revision petition filed for setting aside the orders of Deputy Commissioner (Commercial Taxes), Hyderabad (Rural) Division - Allowed - Orders - Issued.

REVENUE (VIGILANCE - I) DEPARTMENT

G.O.Rt.No. 1574

Dated:25-10-2013.
Read the following:

1. Proceedings of the Deputy Commissioner (Commercial Taxes), Hyderabad (Rural) Division, E1/175/1999-1, Dt.29.3.2004.
2. Revision petition filed by Sri G. Gopi Krishna Chaitanya, ACTO, Saroornagar Div., Hyderabad, dated 26.4.2006.
3. Govt. Memo.No.20695/Vig.I(2)/2006-1,2 dt. 23.5.2006 & 19-3-2012.
4. From the CCT Ref., No.V3/136/1999, dt.28.3.2012.

O R D E R:

In the reference 1st read above, the Deputy Commissioner (Commercial Taxes), Hyderabad (Rural) Division, imposed the penalty of stoppage of two annual grade increments with cumulative effect on Sri G.Gopi Krishna Chaitanya, former Assistant Commercial Tax Officer at Commercial Taxes Check Post, Thondapally, R.R. District for the lapses noticed in the Enquiry Officer's Report.

2. In the reference 2nd read above, Sri G.G.K.Chaitanya, Assistant Commercial Tax Officer filed Revision Petition stating that the punishment imposed by the Deputy Commissioner (Commercial Taxes), Hyderabad (Rural) Division is for no fault of him and there is no evidence that he demanded or accepted any mamool or amount from anybody. The amount said to have been found underneath the table cloth of the Junior Commercial Taxes Inspector, the Junior CTI was punished with stoppage of one increment with cumulative effect, while he was punished with stoppage of two increments with cumulative effect for no fault of him. The allegations are foisted against him and are not proved. The conduct of enquiry was vitiated on account of the several lapses and it is an invalid enquiry report and it cannot form the basis for disciplinary authority to impose the above mentioned penalty on him and requested the Government to exonerate him from the charge and set-aside the orders of the disciplinary authority i.e., the Deputy Commissioner (Commercial Taxes), Hyderabad (Rural) Division.

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3. In the reference 4th read above, the Commissioner of Commercial Taxes has furnished specific remarks of the Deputy Commissioner (Commercial Taxes), Hyderabad (Rural) Division wherein he opined that the decision taken by the Disciplinary Authority holds good and a different view cannot be taken now.

4. Government have examined the matter and observe that the main allegation held proved by the Inquiring Authority is regarding the discovery of cash of Rs.140/- from underneath the table cover of Sri A.Venkatram Reddy, Junior Assistant for which he has held the Accused Officer Sri G.G.K.Chaitanya, Assistant Commercial Tax Officer also as guilty. Regarding the collection of mamools by the check-post staff, the Inquiring Authority has reported that there is no corroborative evidence and hence the charge cannot be established. Since the disciplinary authority has not issued any disagreement factor on this aspect calling for the explanation of the Accused Officer, it is deemed that he has accepted this conclusion. Regarding the discovery of cash of Rs.140/- the Accused Officer has stated that he could not have been expected to check the tables of all the sub-ordinate staff. This seems to be a justifiable ground. The Accused Officer cannot be held responsible for the discovery of the said amount from underneath the table cloth of a colleague that too without any supportive evidence. Hence, it is decided to allow the appeal and to set-aside the orders of Deputy Commissioner (Commercial Taxes), Hyderabad (Rural) Division.

5. Government, after careful consideration of the matter, hereby set aside the punishment orders imposed on Sri G.G.K. Chaitanya, Assistant Commercial Tax Officer by the Deputy Commissioner (Commercial Taxes), Hyderabad (Rural) Division vide reference 1st read above.

6. The Commissioner of Commercial Taxes, A.P., Hyderabad shall take necessary further action in the matter, accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

S.P.SINGH
PRINCIPAL SECRETARY TO GOVERNMENT

To

Sri G.G.K. Chaitanya, Assistant Commercial Tax Officer,
Saroornagar Division, Hyderabad.

through the Commissioner of Commercial Taxes, A.P, Hyderabad.

The Commissioner of Commercial Taxes, A.P, Hyderabad.

The Deputy Commissioner, CT, Hyderabad (Rural) Division.

Copy to:

The PS to Principal Secretary to Government, Revenue Department.

The Revenue (CT.I) Department.

SF/SC.

//Forwarded :: By Order //

SECTION OFFICER.